

RESOLUTION NO. 040527-06

WHEREAS, the City of Austin, Texas, a Texas home rule municipality, owns and operates a municipal electric utility, doing business as Austin Energy; and

WHEREAS, on August 28, 2003 the Austin City Council, as the governing body of Austin Energy, adopted Resolution No. 030828-38 recognizing that through tangible support of clean energy Austin Energy can play a strategic economic development role by helping create new jobs in Austin; and resolving to have Austin Energy develop and incorporate strategies in its Strategic Plan that will ensure Austin remains a national and international leader in the development and use of clean energy; and

WHEREAS, on December 4, 2003, Austin Energy incorporated into its *Strategic Plan* initiatives in response to City Council direction related to clean energy and the environment, including a strong commitment to use solar energy; and

WHEREAS, Austin Energy as part of its commitment to solar energy, desires to develop and implement a solar photovoltaic (PV) rebate incentive program that will encourage its customers to purchase and install grid-connected solar energy systems; that will encourage the development of the local solar energy industry and the solar energy industry on a national and international level; and that will ensure that Austin remains a local, national and international leader in the development and use of clean, renewable energy; and

WHEREAS, effective September 1, 1989, Section 380.001 was added to the Local government Code, which the legislature enacted pursuant to article III, section 51-a of the Texas Constitution, to authorize municipalities to offer a range of incentives designed to promote state or local economic development; and

WHEREAS, through adoption of this resolution the Austin City Council desires that Austin become a participant in the solar energy market and that it remain a leader in the development and use of clean, renewable energy; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Austin City Council hereby finds that a solar photovoltaic rebate incentive program serves a public purpose and will benefit the citizens of Austin and the customers and ratepayers of Austin Energy by promoting the use of the environmentally-friendly and energy efficient renewable energy resource of solar energy; by promoting economic development in Austin for the successful development, recruitment and retention of clean, renewable energy enterprises; and by ensuring that Austin remains a local, national, and international leader in the development and use of clean, renewable energy.

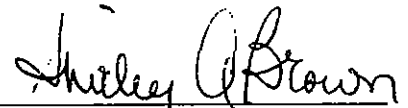
The Austin City Council hereby approves Austin Energy's Solar Photovoltaic Rebate Incentive Program.

In addition, the Austin City Council delegates to the City Manager or her designee the authority to implement and oversee compliance with the program; furthermore, the Austin City Council delegates to the City Manager or her

designee the authority to enter into agreements as may be necessary and to make rebates to electric utility customers under the program; furthermore, the Austin City Council authorizes rebates of \$5.00 per watt for photovoltaic made outside of Austin's electric service area and \$6.25 per watt for photovoltaic manufactured or assembled (excluding installation) locally within City of Austin's electric service area, with a residential customer rebate cap per recipient of eighty percent of installed cost or \$15,000, whichever is less, and a commercial customer rebate cap of eighty percent of installed cost or \$100,000, whichever is less.

ADOPTED: May 27, 2004

ATTEST:



Shirley A. Brown
City Clerk